

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

RHONDA FLEMING

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CRIMINAL ACTION NO. H-07-513

ORDER

Pending before the court are two motions: (1) Defendant Rhonda Fleming's ("Fleming") motion for a recommendation that she be transferred to the Federal Detention Center in Houston, Texas (the "recommendation motion") (Dkt. 820); and (2) Fleming's motion for reconsideration of the court's October 7, 2013 order (Dkt. 850) denying her September 26, 2013 motion for new trial (the "reconsideration motion"). Dkt. 854.

First, after reviewing the recommendation motion and considering the applicable law, that motion (Dkt. 820) is **DENIED**. Second, as to the reconsideration motion, after re-reviewing its October 7, 2013 order, the court affirms the reasoning therein and further holds that Fleming's September 26 motion fails for an additional reason, namely that it raises no new grounds for the court's consideration. Fleming filed a substantively identical motion in July 2012 (Dkt. 775), to which Officer McGowen's affidavit was attached, and the court denied that motion in August 2012. *See* Dkt. 781. Fleming's most recent motion for new trial thus raises no new grounds on which the court should reconsider its 2012 ruling. Fleming's reconsideration motion (Dkt. 854) is **DENIED**.

Signed at Houston, Texas on October 18, 2013.



Gray H. Miller
United States District Judge